IN THE HIGH COURT OF JUDICATURE AT BOMBAY

CRIMINAL APPELLATE JURISDICTION

BAIL APPLICATION NO.689 OF 2005

Pradeep Anant Aajgaonkar & Ors. ...Applicants

Versus

The State of Maharashtra ...Respondent

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Ms.Sunita S.Sutrale for Applicants.

Mr.V.B.Konde-Deshmukh, A.P.P. for Respondent.

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CORAM: A.M.KHANWILKAR, J.

FEBRUARY 11, 2005.

P.C.

1. Heard Counsel for the parties. Perused the record.

2. The Applicants are arrested in connection with offence punishable under Sections 465, 467, 468, 471 read with Section 34 of the Indian Penal Code. The prosecution case is that the Applicants had caused to offer surety for accused, who was released on bail, placing reliance on documents which were forged documents. However, during the

course of arguments, on instructions, learned A.P.P. fairly accepts that from the documents seized and which pertain to Applicants 2 and 3, there is nothing to show that the said documents were forged documents. If it is so, Applicants 2 and 3 will be entitled for bail.

3. Insofar as Applicant No.1 is concerned, reliance is placed by the learned A.P.P. on the fact that two ration cards were found in possession of the co-accused which pertain to Applicant No.1 and both the ration cards were issued in the name of his mother Anusaya. However, it is not in dispute that both the ration cards pertain to the same addresses as furnished therein. The fact that two ration cards have been issued in favour of same person, does not mean that the said documents are forged as such. Moreover, it is not in dispute that the Applicant No.1 is employed with Bombay Port Trust and bears necessary certification in that behalf.

4. Viewed in this perspective and coupled with the fact that investigation is complete, even

Applicant No.1 deserves to be granted bail. Accordingly, all the Applicants are granted bail on the following conditions:

(a) The Applicants are granted bail in connection with C.R.No.313 of 2004 registered with Borivli Police Station on executing personal bond in the sum of Rs.25,000/- (Rupees Twenty-five Thousand) each with two local sureties in the like amount.

(b) The Applicants shall not influence the prosecution witnesses or tamper with the prosecution evidence in any manner whatsoever.

(c) The Applicants shall extend full co-operation to the Trial Court for early disposal of the trial and if the Trial Court is of the opinion that the Applicants are responsible for the delay of the trial, that fact be recorded in the Roznama, which will be a ground for cancellation of bail.

5. Application disposed of on the above

terms.

A.M.KHANWILKAR, J.